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Attorneys for Richard Hebert

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD HEBERT,

Defendant.

CASE NO. 2:14-cr-00140-MCE

**STIPULATION REGARDING
AMENDING PRETRIAL RELEASE
CONDITIONS AND ORDER**

Date : September 11, 2014

Honorable Magistrate Carolyn Delaney

Defendant Richard Hebert, by and through Linda M. Parisi, his counsel of record, and plaintiff, by and through its counsel, Matthew G. Morris, hereby stipulate as follows:

1. All counsel and Mr. Hebert, along with the Pretrial Services Agency/Officer, agree to the additional term and condition for continued Pretrial Release, as follows: Mr. Hebert agrees to participate in mental health counseling. See Pretrial Release Amended Conditions – Attached.

Dated: September 9, 2014

Respectfully Submitted,

/s/ Linda M. Parisi by e-mail authorization

Linda M. Parisi
Attorney for Richard Hebert

1 Dated: September 9, 2014

BENJAMIN B. WAGNER
United States Attorney

3 /s/ Linda M. Parisi by e-mail authorization

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5 _____
Matthew G. Morris, Assistant U.S. Attorney
Attorney for Plaintiff

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ATTORNEY FOR: Richard Hebert

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

RICHARD HEBERT

Defendant,

Case No. 2:14-cr-00140-MCE

ORDER

Based on the reasons set forth in the stipulation of the parties filed on September 12, 2014, and good cause appearing therefrom, the Court adopts the stipulation of the parties in its entirety. IT IS HEREBY ORDERED that the Pretrial Release Conditions be amended to include a requirement that Mr. Hebert participate in mental health counseling. All other conditions remain in effect.

Dated: September 12, 2014


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

AMENDED SPECIAL CONDITIONS OF RELEASE

Re: Hebert, Richard Charles

No.: 2:14-CR-140 MCE

Date: September 10, 2014

1. You shall report to and comply with the rules and regulations of the Pretrial Services Agency;
2. You shall report in person to the Pretrial Services Agency on the first working day following your release from custody;
3. You are released to the third-party custody of Merrylyn Herbert;
4. You are to reside at a location approved by the pretrial services officer and not move or absent yourself from this residence for more than 24 hours without the prior approval of the pretrial services officer;
5. You shall cooperate in the collection of a DNA sample;
6. Your travel is restricted to Eastern District of California unless otherwise approved in advance by the pretrial services officer;
7. You shall surrender your passport or travel documents and you shall not obtain a passport or other travel documents during the pendency of this case;
8. You shall not possess a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you shall provide written proof of divestment of all firearms/ammunition currently under your control;
9. You shall refrain from excessive use of alcohol or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you shall notify Pretrial Services immediately of any prescribed medication(s). However, medicinal marijuana, prescribed or not, may not be used;
10. You shall report any contact with law enforcement to your pretrial services officer within 24 hours;
11. You shall participate in the following location monitoring program component and abide by all the requirements of the program, which will include having a location monitoring unit installed in your residence and a radio frequency transmitter device attached to your person. You shall comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You shall pay all or part of the costs of the program based upon your ability to pay, as determined by the pretrial services officer;
12. **CURFEW:** You are restricted to your residence every day from 5:00 p.m. to 7:00 a.m., or as adjusted by the pretrial services officer for medical, religious services, employment or court-ordered obligations;
13. You shall not view or possess child pornography as defined by 18 USC 2256(8), except in the presence of your attorney to prepare for your defense;

- 1 14. You shall not access the Internet unless approved in advance by Pretrial Services. You shall
2 provide proof of the disconnection or termination of the service at your residence as required
3 by the pretrial services officer;
- 4 15. You shall not use or possess a computer in your residence or at any other location unless
5 otherwise approved by the pretrial services officer. Your wife may keep her smartphone in
6 the residence as long as it is password protected;
- 7 16. You shall not loiter or be found within 100 feet of any school yard, park, playground, arcade,
8 movie theater, or other place primarily used by children under the age of 18;
- 9 17. You shall not associate or have verbal, written, telephonic or electronic communication with
10 any person who is under the age of 18, except in the presence of another adult who is the
11 parent or legal guardian of the minor;
- 12 18. You shall not be employed or participate in any volunteer activities in which there is the
13 likelihood of contact with children under the age of 18;
- 14 19. You shall not use any device offering Internet access as a means of accessing any material
15 that relates to the criminal activity charged in the pending allegations; and
- 16 20. Any future employment positions must be approved in advance by Pretrial Services. If
17 employment is approved, you shall provide Pretrial Services with a copy of the company's
18 computer use policy;
- 19 ***21. You shall participate in a program of medical or psychiatric treatment, including treatment
20 for drug or alcohol dependency, as approved by the pretrial services officer. You shall pay
21 all or part of the costs of the counseling services based upon your ability to pay, as
22 determined by the pretrial services officer.***